

Serial No. **50393**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 1 1986

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 1 1986The applicant Donald W. & Naida RadbruchStar Route Box 157 of Winnemucca
Street and No. or P.O. Box No. City or TownNevada 89445 hereby make application for permission to change the
State and Zip Code No.Point of Diversion and Place of Use of a portionPoint of diversion, manner of use, and/or place of useof water heretofore appropriated under Proof 01601 waters of the Little Humboldt(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andRiver and its tributariesIdentify right in Decree.)1. The source of water is Wash O'Neal CreekName of stream, lake, underground spring or other source.2. The amount of water to be changed .005 c.f.s.Second feet, acre feet. One second foot equals 448.83 gallons per minute.3. The water to be used for irrigationIrrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for irrigationIrrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28,Describe as being within a 40-acre subdivision of public survey and by course andT.41N., R.39E., M.D.B. & M. or at a point from which the SW cornerdistance to a section corner. If on unsurveyed land, it should be stated.of said Section 28 bears S 0°11' W 300'.6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T.If point of diversion is not changed, do not answer.41N., R.39E., M.D.B. & M.7. Proposed place of use $\frac{1}{2}$ acre within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, T.41N., R.39E.,Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.M.D.B. & M.8. Existing place of use 2.23 acres within the E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T.Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or41N., R.39E., M.D.B. & M.manner of use of irrigation permit, describe acreage to be removed from irrigation.9. Use will be from April 1st to September 27th of each year.Month and DayMonth and Day10. Use was permitted from April 1st to September 27th of each year.Month and DayMonth and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) diversion dam, pipelines & ditchesState manner in which water is to be diverted, i.e. diversion structure, ditches,pipes and flumes, or drilled well, etc.12. Estimated cost of works \$5,00013. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Robert N. Caldwell, SWRS 468 as agent
By s/Robert N. Caldwell
146 West Second Street
Winnemucca, Nevada 89445

Compared cc/se pm/se

Protested 2/17/87 by Nevada First Corp.
Pro. overruled 9/11/87
see Ruling No. 3461

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Wash O'Neal Creek as heretofore appropriated under Proof 01601 as appears in the Little Humboldt River Decree No. 3157 entered May 9, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to the terms and conditions imposed by the State Engineer's Rulling Number 3461 dated September 11, 1987.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.005 cubic feet per second and shall not exceed 1.8 acre-feet per irrigation season as designated by the decree.

Work must be prosecuted with reasonable diligence and be completed on or before October 22, 1989

Proof of completion of work shall be filed before November 22, 1989

Application of water to beneficial use shall be made on or before October 22, 1991

Proof of the application of water to beneficial use shall be filed on or before November 22, 1991

Map in support of proof of beneficial use shall be filed on or before November 22, 1991

Completion of work filed DEC 20 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed JAN 19 1994 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of October

Cultural map filed

Certificate No. 13967 Issued NOV 14 1994

A.D. 19 87

Peter G. Morros
State Engineer